

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 18TH MAY 2007 / 28TH VAISAKHA 1929

Crl.Rev.Pet.No. 1868 of 2007()

CRA.323/2006 of III ADDL.SESIONS COURT, KOLLAM
CC.145/2003 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOLLAM

REVN. PETITIONER: APPELLANT IN CRL.APPEALNO.323/06/ACCUSED IN CC.145/03

SRI.T.S.SAJITH,
KANJIRAMVILA,
IRUMPANANGADU (P.O.),EZHUKONE,
KOLLAM.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENTS: RESPONDENTS IN CRA.323/06/2ND RESPON./COMPLAINANT IN

C145/03

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

2. MATHAIKUTTY,
KONATHUCHARUVILA VEEDU,
NEDUMPANA,KOLLAM,REPRESENTED BY HIS POWER OF
ATTORNEY HOLDER,BINU MATHEW,
RESIDING AT DO.

BY PUBLIC PROSECUTOR SRI.C.M.KAMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 18/05/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J.

CRL.R.P.NO. 1868 of 2007

Dated this the 18th day of May, 2007

ORDER

The petitioner stands convicted for the offence under section 138 N.I.Act and sentenced to undergo simple imprisonment for two months and to pay a compensation of Rs.one lakh to the complainant under section 357(3) Cr.P.C and in default to undergo simple imprisonment for two months. The petitioner has only sought for modification of the sentence and time to pay the amount.

2. In the circumstances, the sentence is modified to imprisonment till the rising of the court; and the rest of the sentence is confirmed. The petitioner is granted six months time from today onwards to pay the amount of compensation.

The petitioner shall appear before the JFCM-II, Kollam on 19-11-2007 to receive the sentence. NBW pending if any shall be kept in abeyance.

The Crl.R.P is disposed of accordingly.

kvm/-

**K.R.UDAYABHANU,
JUDGE**

